

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Education Operational Delivery Committee
<b>DATE</b>	17 September 2020
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Revised Scheme of Devolved School Management
<b>REPORT NUMBER</b>	OPE/20/112
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Eleanor Sheppard
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<b>TERMS OF REFERENCE</b>	1.1.2, 1.1.5

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### **1. PURPOSE OF REPORT**

- 1.1 To inform Committee and seek approval for the Aberdeen City Revised Devolved School Management Scheme, which is fully based on the national Devolved School Management guidance issued by the Scottish Government in summer 2019.

### **2. RECOMMENDATION**

- 2.1 That the Committee approves the Revised Devolved School Management (DSM) Scheme 2020 (Appendix 1).

### **3. BACKGROUND**

#### **3.1. Devolved School Management (DSM) – National Context**

- 3.1.1 The Devolved School Management (DSM) Scheme, first implemented by Grampian Regional Council in 1993, was adopted by Aberdeen City Council at reorganisation in 1996. The Scottish Government published formal guidelines on DSM in 2006 and made a further revision to those guidelines in 2012.
- 3.1.2 In 2016/17 the Scottish Government progressed a Governance Review which included consultation on the empowerment of schools and on fair funding to schools.
- 3.1.3 As a result of the extended review and consultation process, a Joint Agreement between the Scottish Government and local government was announced which details the shared commitment to close the attainment gap and raise attainment for all. The Joint Agreement led to the development of a Head Teacher's Charter. The Head Teachers Charter advises that in an empowered system, head teachers should lead learning communities to determine the most appropriate means of closing the poverty attainment gap and take decisions on the best use of resource.

3.1.4 In order to support the head teacher charter, the Scottish Government has developed refreshed national DSM guidance in collaboration with COSLA. The updated guidance clarifies national expectations and all Local Authorities are required to review their local DSM schemes in keeping with the updated guidance with a view to publishing new schemes over this academic year.

3.1.5 The Aberdeen City Revised Devolved School Management Scheme adheres to the national guidance and sets out how the local scheme will operate.

## 3.2 Updated DSM Guidance

3.2.1 The updated DSM guidance (published summer 2019) seeks to build and improve on the DSM guidelines of 2012. The guidelines can be found here <https://www.gov.scot/policies/schools/devolved-school-management/>

3.2.2 The guidance clarifies what is expected and recommended in a local scheme and provided practical examples from Local Authorities. A framework has been provided to allow Local Authorities to populate a standard format which will introduce a level of consistency in how schemes are presented and support benchmarking.

3.2.3 Key principles underpinning Devolved School Management are identified in the guidance as:

- Subsidiarity and Empowerment
- Collaboration
- Accountability and Responsibility
- Clarity and Equity

3.2.4 The guidance clearly states that DSM schemes must support the Fair Funding Principles and;

- Support excellence and equity - ensuring every child and young person has the same opportunity to succeed
- Be fair - placing the needs of all children and young people at the centre
- Be simple, transparent and predictable - ensuring the costs of delivering education can be easily understood and explained and that schools are able to manage and plan ahead with certainty
- Deliver value for money - ensuring that every penny spent is used effectively

3.2.5 Recognising that collaboration is key to a successful DSM scheme, the Quality Improvement Manager (Closing the Gap) has led the development of the new scheme with colleagues from across the system including head teachers and colleagues from finance. This approach helped ensure that Aberdeen City Council develops a scheme which enables schools to meet the needs of children and young people effectively. Officers also linked with colleagues from Aberdeenshire and Moray Councils to share approaches and learn from each other as schemes were developed.

3.2.6 The Aberdeen City DSM group agreed key principles for school staffing allocations which were shared and agreed by Head Teachers across the city. These are:

- Every school requires a Head Teacher who does not have a teaching commitment
- Every school should have a base allocation of staff which enables them to meet the core teaching and reduced class contact time requirements of the school
- National and local agreements (SNCT and LNCT) around class sizes and teachers' terms and conditions must be observed
- Every school requires an allocation of dedicated Additional Support for Learning teaching time to enable them to meet the needs of their pupils

3.2.7 The Chief Education Officer used delegated powers to implement the revised Draft Devolved School Management Scheme from July 2020 to support school budget planning and ensure that this adhered to the budget set by Council in February.

### **3.3 Basic Principles**

3.3.1 Aberdeen City Council is committed to providing a high-quality education to all pupils attending local authority schools in Aberdeen City. The Council holds the view that within the policy parameters set by Aberdeen City Council, decisions about the management of schools will, wherever possible, be taken at school level.

3.3.2 Devolved School Management provides an opportunity for individual schools to target resources more precisely in seeking to achieve agreed objectives within the overall context of Aberdeen City Council's Best Value strategy. Devolved budgets provide the core funds which schools will use to address current and relevant national and local priorities as set out in the Standards in Scotland's Schools etc Act (2000) and the Education (Additional Support for Learning) (Scotland) Act (2004).

3.3.3 It is recognised that if a scheme of Devolved Management is to continue to provide the basis for the successful operation of schools then it will have to change and adapt to changing circumstances and to new information.

3.3.4 This scheme of Devolved Management will, therefore, be reviewed regularly, not less than once every 3 years, and amended in the light of experience and changing circumstances. This review to be undertaken by a group representative of all stakeholders.

3.3.5 Devolved School Management will be applied in a manner which meets the needs and suits the circumstances of the Aberdeen City community and will be firmly based upon the aims for Children and Family Services promoted by Aberdeen City Council.

3.3.6 It is recognised that increasingly, the key decisions for the promotion and enhancement of the quality of learning and teaching are taken at school level.

In recognition of this, Aberdeen City Council will endeavour to maximise the devolution of funding to schools.

- 3.3.7 The responsibility for securing the adequate and efficient provision of education and for raising standards in the quality of education within Aberdeen City lies with the Local Authority. Head Teachers are directly accountable to the Authority in the task of managing their schools and should exercise their devolved management responsibilities in a manner consistent with the Authority's responsibilities. The monitoring of Devolved School Management will be a central element of the quality improvement mechanisms employed by the Education Improvement Team.
- 3.3.8 In relation to the above, the major roles for the central Education Improvement Team will be strategic planning, resource management, quality improvement and co-ordination of support.
- 3.3.9 Within the scheme of devolution, schools must adhere to national and local agreements in such areas as class sizes, staff structures, length of school day, etc.
- 3.3.10 The integrity of financial recording by each establishment is central to DSM and is liable to interrogation by Internal Audit.

### **3.4 Staffing Formulae**

- 3.4.1 The most significant element of schools' devolved budget is the staffing budget. A review of the schools' staffing formulae in light of the Scottish Government requirement to review the DSM scheme seemed prudent for a number of reasons including:
- Existing staffing allocations lacked clarity and transparency
  - Some historical arrangements were no longer relevant or appropriate
  - The presumption of mainstreaming requires all schools to be able to support a wide range of additional needs within their pupil group
  - An identified lack of resource in some settings

### **3.5 Consultation**

- 3.5.1 The review of the Aberdeen City Council Devolved School Management Scheme was undertaken in light of refreshed Scottish Government Guidance. A range of informal engagement and consultation took place during the development stage. Formal consultation on a proposed new scheme took place between 14<sup>th</sup> and 29<sup>th</sup> May 2020. Responses were invited from staff and from parents/carers and pupils.
- 3.5.2 254 survey responses were returned by staff.
- 3.5.3 In addition, emailed responses to the consultation were received from 3 secondary schools, the Aberdeen Secondary Head Teacher Association and 2 teaching trade unions.

- 3.5.4 Just under 47% of responses were from teaching staff although Pupil Support Assistants were well represented (just under 25%) and Early Years Practitioners accounted for just under 22% of responses.
- 3.5.5 526 responses were received from parents/carers and pupils. 97% of responses were from parents and carers, with the remaining responses from pupils. It is acknowledged that the subject matter does not easily translate for pupils and a limited number of responses is not surprising. This will be taken account of when planning future consultation around DSM.
- 3.5.6 Emailed responses were received from 2 Parent Councils.
- 3.5.7 A full summary of the consultation responses is available at Appendix 2.

### **3.6 Summary analysis – Staff feedback**

- 3.6.1 Further scrutiny of the data shows that schools likely to benefit from the revised staffing formulae were more likely to respond favourably to the questions posed, which is unsurprising. 7 respondents noted that, although they disagreed with the new allocations, the formula was clear and transparent.
- 3.6.2 The Secondary HT association noted that, “There has been a need to review staffing allocations for many years and this has been under discussion for some time within Aberdeen City Council. The new formula avoids the historical ambiguities present in the previous formula.”
- 3.6.3 34 responses expressed concern about the impact of the proposals on Principal Teacher posts, capacity to deliver a wide range of subjects and impact on smaller schools 17 responses expressed a view that the proposals were discriminatory towards small secondary schools.
- 3.6.4 17 responses noted that, in view of the COVID-19 pandemic, the timing of the consultation was unwelcome. It is accepted that the timing was unfortunate, although the need to work to the budget set by Council in February necessitated the introduction of a revised scheme.
- 3.6.5 26 responses expressed a view that the proposals would impact negatively on supporting learners in terms both of meeting needs and raising attainment. 15 responses referred to reduced Pupil Support Assistant hours in their school and a negative impact on equity, 11 responses expressed a view that the proposals discriminated against lower Scottish Index of Multiple Deprivation (SIMD) profile schools while 2 viewed them as discriminatory towards higher SIMD profile schools. 2 respondents noted the proposals shared resources more equitably.
- 3.6.6 6 respondents described the draft scheme as clear and concise, 10 felt the scheme lacked clarity.
- 3.6.7 14 responses questioned the proposed inclusion of energy costs and Scottish Qualification Authority (SQA) exam costs in the devolved budget, questioning the ability of schools and Head Teachers to control the former and expressing

concern that including the latter in the devolved budget may lead to a reduction in opportunity and choice for young people.

3.6.8 31 responses were critical of perceived budget cuts and criticised the timing of this in view of the current pandemic.

3.6.9 Analysis of returns from staff in schools who will see little change from the new scheme are broadly positive or neutral. Responses from schools which have historically had higher levels of resources than are proposed within the draft scheme were generally less positive.

### **3.7 Summary analysis – Parent, Carer and Pupil feedback**

3.7.1 From the additional comments provided, there appears to be some correlation of negative views with some of the school staff returns. This is unsurprising and may reflect comments from schools who are likely to see some budget reduction from a new scheme. 9 respondents referred specifically to removal of management posts or to managers teaching.

3.7.2 35 parent/carers responses expressed concern about the impact of the proposals on equity of provision, while 5 respondents felt the proposals were more equitable.

3.7.3 Additional commentary from parents and pupils evidences a strong need to focus on allocations of support for learning to all schools to ensure the needs of those learners with additional support needs can be met. This features in around 30 responses

3.7.4 7 responses echoed the staff view that the timing of the consultation was not ideal. As noted previously this is accepted; but was unavoidable for the reasons stated.

3.7.5 15 responses expressed the view that DSM will add to Head Teachers' workload and a similar number made reference to a need for training and support to schools in dealing with DSM. It is possible that some of those responding are unaware of Head Teachers' current obligations in respect of DSM.

3.7.6 Including energy and exam costs in the devolved budget was raised as a concern by 11 respondents and mirrors the feedback from staff in this area.

3.7.7 399 respondents agreed or strongly agreed that the draft scheme is clear and easy to understand, however a total of 31 responses refer to lack of clarity and transparency, use of jargon and a need for prior understanding to be able to make comparisons or comment. It is acknowledged that this is not an easy subject to make accessible to those without prior knowledge of it and this will be considered in any future consultation around DSM.

3.7.8 While 5 respondents welcomed the involvement of parents in making decisions around use of funds, a similar number felt that teachers and Head Teachers are best placed to make such decisions.

3.7.9 22 responses criticised perceived budget cuts, suggesting schools need more funding not less.

### **3.8 Conclusion and recommendations**

3.8.1 Based on the feedback received it is recommended that the draft scheme should be adopted with the following considerations.

3.8.2 Energy costs should be removed from schools' devolved budget. Feedback supports the view that these costs are largely out with the control of the Head Teacher and that the ability to control energy costs varies from school to school, depending on the age and condition of the building.

3.8.3 SQA costs should be removed from the devolved budget. Feedback supports the view that including these could lead to reduced opportunities for young people to be presented for exams if financial concerns were a factor.

3.8.4 The DSM scheme should include staffing budgets, which will be devolved within the parameters set out in the draft scheme.

3.8.5 Alternative spend requests in respect of staffing underspend should be approved if they support improvements to the curriculum, learning and teaching, wellbeing or health and safety.

3.8.6 The DSM scheme is a cash-based scheme. Head Teachers working collegially with their school communities have flexibility within this to create structures to suit their specific needs provided these are within budget and local and national agreements are observed.

3.8.7 Officers will work with Finance colleagues to ensure Head Teachers are provided with regular, accurate financial information and advice to enable them to monitor budgets effectively.

3.8.8 The vacant post of DSM Coordinator should be recruited to immediately to support and advise schools in their management of the revised scheme.

3.8.9 Consideration should be given to the timescale for implementation for any school likely to have to review their school structure to ensure that existing agreements for changing school structures can be adhered to.

3.8.10 In making any changes all local and national agreements (LNCT and SNCT) will be adhered to.

## **4. FINANCIAL IMPLICATIONS**

4.1 This report deals with Children & Family Services budgets which have been approved previously. In respect of these there are no direct financial implications arising from the recommendations of this report.

- 4.2 There are ongoing staffing and financial implications in the continued development and implementation of the DSM scheme in terms of the delivery of the professional learning offer and the professional support offer to head teachers and schools, as required in the new Scottish Government DSM guidelines (2019).
- 4.3 There requires to be ongoing officer capacity within the Children and Family Services Education Improvement Team to continue to develop and deliver on the systems and structures to underpin the devolved budgets agenda.

## 5. LEGAL IMPLICATIONS

- 5.1 Section 8 of the Standards in Scotland's Schools etc. Act 2000 requires an Education Authority to have a scheme for delegating to Headteachers management of all or part of the Authority's budget appropriated to the school in question. Approval of the scheme set out in Appendix 1 will meet this statutory duty and ensure compliance with The Scottish Government Devolved School Management Guidelines (June 2019)

## 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	Budget Pressures in the context of the Council's financial situation	H	Monitor and ensure the service operates within agreed budgets, putting in place remedial action as required
<b>Compliance</b>	Failure to comply with a Scottish Government requirement	H	Review and implement a revised DSM scheme for Aberdeen City Council in accordance with published guidance
<b>Operational</b>	Budget Pressures impacting on capacity to deliver service	H	Monitor and ensure the service operates within agreed budgets, putting in place remedial action as required
<b>Financial</b>	General budget constraints	H	Monitor and ensure the service operates within agreed budgets, putting in place remedial action as required
<b>Reputational</b>	Failure to comply with a Scottish Government requirement. Budget Pressures impacting on capacity to deliver service.	H	Review and implement a revised DSM scheme for Aberdeen City Council in accordance with published guidance

			Monitor and ensure the service operates within agreed budgets, putting in place remedial action as required
<b>Environment / Climate</b>	n/a		

## 7. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN</u></b>	
	<b>Impact of Report</b>
<p><b>Aberdeen City Council Policy Statement</b></p> <p>People - 7</p>	<p>The proposals within this report support the delivery of Policy Statement 7 – Commitment to closing the poverty related attainment gap in education while working with partners in the city. The paper seeks approval for the revised Devolved School Management scheme which will support schools to have full control of their budgets and enable them to target resources most appropriately and engage the support of relevant partners to meet the needs of their community and achieve the aims of the National Improvement Framework.</p>
<b>Aberdeen City Local Outcome Improvement Plan</b>	
<p>Prosperous Economy Stretch Outcomes</p>	<p>The proposals within this report support the delivery of LOIP Stretch Outcomes 1 and 6. Continued judicious use of funding and appropriate targeting of additional resources will ensure that children and young people, including those from disadvantaged backgrounds, are fully accessing education and more likely to achieve their potential and contribute to the economy.</p> <p>Specific links:</p> <p>Stretch outcome 1 10% increase in employment across priority and volume growth sectors y 2026</p> <p>Stretch outcome 6 95% of children living in our priority localities will sustain a positive destination upon leaving school by 2026.</p>
<p>Prosperous People Stretch Outcomes</p>	<p>The proposals in this report seek to ensure the best use of resource in the system, promoting an understanding of the circumstances of individual children and young people to ensure that appropriate and timely personalised support is available to them.</p>

	<p>Effective use of all resources and allowing each school community full control of these resources will help to ensure all initiatives and interventions are selected and implemented based on the needs of each school community and planned effectively to impact positively on all children and young people and are particularly targeted at those who are adversely affected by poverty.</p> <p>Specific links to:</p> <p>Stretch Outcome 4 90% of children and young people will report that they feel mentally well by 2026</p> <p>Stretch Outcome 6 95% of children living in our priority localities will sustain a positive destination upon leaving school by 2026,</p> <p>Stretch Outcome 7 Child Friendly City which supports all children to prosper and engage actively with their communities by 2026</p>
<p>Prosperous Place Stretch Outcomes</p>	<p>Underpinning the work of all schools in Aberdeen City is reducing the poverty related attainment gap and achieving excellence and equity for all.</p>
<p><b>UK and Scottish Legislative and Policy Programmes</b></p>	<p>This report considers the local authority's legal obligations in respect of the legislation below:</p> <p><b>Devolved School Management Guidance 2019</b></p> <ul style="list-style-type: none"> <li>• This guidance supports the development of devolved school management schemes, which set out how local authorities fund schools and the accountability and responsibility for financial decisions.</li> </ul> <p><b>The Standards in Scotland's Schools Etc. Act 2000</b></p> <ul style="list-style-type: none"> <li>• Duty of education authority in providing school education</li> <li>• Raising standards</li> <li>• Duty to have due regard to the need to reduce inequalities of educational outcome experienced by pupils as a result of socio-economic disadvantage.</li> <li>• Requirement that education be provided in mainstream schools</li> </ul>

	<p><b>The National Improvement Framework</b></p> <ul style="list-style-type: none"> <li>Education Authorities are under a duty to endeavour to secure improvement in the quality of education of school education which is provided in the schools managed by them and to carry out the duty with a view to achieving the strategic priorities set out in the National Improvement Framework.</li> </ul>
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## 8. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not required

## 9. BACKGROUND PAPERS

- The Scottish Government Devolved School Management Framework Document – for Local Authorities (June 2019)
- The Scottish Government Devolved School Management Guidelines (June 2019)

## 10. APPENDICES

- Appendix 1 - Aberdeen City Council Revised Scheme of Devolved School Management 2020
- Appendix 2 - DSM Survey Summary Responses June 2020

## 11. REPORT AUTHOR CONTACT DETAILS

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